

Bill No. 23-00
Concerning: Tobacco Products -
Placement
Revised: 10-30-00 Draft No. 3
Introduced: July 18, 2000
Enacted: November 14, 2000
Executive: November 20, 2000
Effective: February 19, 2001
Sunset Date: None
Ch. 31, Laws of Mont. Co. 2000

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council Vice-President Ewing and Councilmembers Andrews, Leggett, Berlage, and Praisner

AN ACT to:

- (1) restrict the accessibility of certain tobacco products in retail settings, and require retail sellers of those products to take certain actions; and
- (2) generally amend County laws regarding the [[sale and]] display for sale of certain tobacco products.

By adding

Montgomery County Code
Chapter 24, Health
Section 24-9D, Tobacco Products - Placement

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<u>[[Double boldface brackets]]</u>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:



MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject	Authorization to Enforce Chapter 24, Sec. 24-9D, Tobacco Products Placement	Executive Order No.	292-02	Subject Suffix	
Originating Department	Board of License Commissioners	Department Number	21	Effective Date	12/13/02

EXECUTIVE ORDER

The County Council and County Executive are committed to restricting the display and accessibility of certain tobacco products in retail settings.

NOW, THEREFORE, pursuant to Chapter 24, Section 24-9D(d) of the Montgomery County Code, the County Executive designates the Office of the Board of License Commissioners to enforce the Tobacco Products Placement law.


Approved:

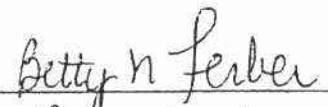

Douglas M. Duncan, County Executive

Approved as to form and legality:

Office of the County Attorney

Approved:


Dennis Theoharis
Executive Director, Board of Lic. Commissioners

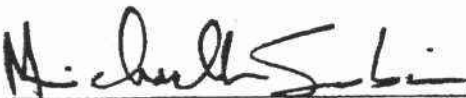
By: 
Date: December 6, 2002

Sec. 1. Chapter 24 is amended by adding Section 24-9D:

24-9D. Tobacco Products - Placement.

- (a) A retail seller of any tobacco product must not display or store the product in any place that is accessible to buyers of the product without the intervention of the seller or an employee of the seller.
- (b) Tobacco product means any substance containing tobacco, including cigarettes, cigars, smoking tobacco, snuff, or smokeless tobacco.
- (c) This Section does not apply to:
 - (1) the sale of any tobacco product from a vending machine that complies with all requirements of state law; and
 - (2) any store where only or primarily tobacco products are sold.
- (d) The [[Health and Human Services Department, the Board of License Commissioners, and any other agency designated by the]] County Executive must designate by Executive order one or more County departments or agencies to enforce this Section.

Approved:



Michael L. Subin, President, County Council

11/16/00

Date

Approved:

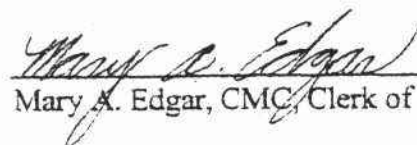


Douglas M. Duncan, County Executive

November 20, 2000

Date

This is a correct copy of Council action.



Mary A. Edgar, CMC, Clerk of the Council

November 21, 2000

Date